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Our Reference: 2072.0010003/MAC/DJN

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To: United States Patent and Trademark Office			Date: June 11, 2008		
Attention: Examiner Young J. Kim			-	appl. No. 10/602,045; Filed: June 24, 2003 or: Molecular Detection Systems	3
From: Daniel J. Nevrivy 550 Reg. No. 59,118			Utilizing Reiterative Oligonucleotide Synthesis Inventor: Michelle M. Hanna		
Pages (include	ding cover sheet):	4			

Message

SKGF Cover Letter;

Fax No: (571) 273-0785

- 2. Credit Card Payment Form (PTO-2038) in the amount of \$130.00 to cover the Terminal Disclaimer fee under 37 C.F.R. § 1.20(d):
- 3. Terminal Disclaimer to Obviate a Double Patenting Rejection over a "Prior" Patent; and
 - 4. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending "Reference" Application.

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Art Unit 1637

Via Facsimile

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/602,045; Filed: June 24, 2003 Molecular Detection Systems Utilizing Reiterative Oligonucleotide Synthesis

Inventor: Michelle M. Hanna Our Ref: 2072.0010003/MAC/DJN

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Credit Card Payment Form (PTO-2038) in the amount of \$130.00 to cover the Terminal Disclaimer fee under 37 C.F.R. § 1.20(d);
- 2. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent; and
- 3. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending "Reference" Application.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE KESSLER, GOZDSTEIN & FOX P.L.L.C.

Nevriy Agent for Applicant

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Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Docket Number (Optional) TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A "PRIOR" PATENT** 2072.0010003/MAC/D.IN In re Application of: Michelle M. Hanna Application No.: 10/602.045 Filed: June 24, 2003 For: Molecular Detection Systems Utilizing Reiterative Oligonucleotide Synthesis percent interest in the Instant application hereby discreims, Ribomed Biotechnologies, Inc. The owner except as provided below, the terminal part of the statutory term of any patent grented on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7.226.738 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the inslant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for fallure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent Jurisdiction; is statutority discalmed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, pertnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney or agent of record 6/11/200 Signaty Daniel J. Nevrivy Typed or printed name 202) 371-2600 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) included. WARNING: information on this form may become public. Credit card information should not

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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